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#514

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House bill
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Introduced by Mr. INGRAM, of Richmond.

W. W. Holden, Printer to the State.

A BILL TO EXEMPT FROM EXECUTION IN FAVOR OF HOUSEHOLDERS, FIFTY ACRES OF LAND.

SECTION 1. *Be it enacted by the General Assembly of the*
2 *State of North Carolina, and it is hereby enacted by the*
3 *authority of the same,* That there shall be exempt from
4 execution, in favor of every householder, on all debts con-
5 tracted after the first day of March, 1863, in addition to
6 the articles which are now by law exempt from execution,
7 the following property, viz : fifty acres of land including
8 the dwelling house and all necessary out-houses of the
9 said house keeper, not to exceed in value five hundred dol-
10 lars, or so much land less than fifty acres, including the
11 dwelling house and necessary out houses, as will amount in
12 value together with said dwelling house and out houses, to
13 the sum of five hundred dollars; or a house and lot in any
14 town or village, not to exceed one acre of land, of five
15 hundred dollars in value, or so much land less than one
16 acre including a dwelling house and necessary out houses
17 in any town or village, as shall not, together with said
18 dwelling; house and out houses, exceed the value of five
19 hundred dollars, *Provided,* however, that the provisions
20 of this law, shall not extend to any execution issued against
21 any debtor for liabilities incurred for failure or neglect to
22 work on the public roads, or to render military service to
23 the country, or to pay any taxes due to this State or the
24 Confederate States.

SEC. 2. *Be it further enacted,* That whenever any house-

2 holder, or his wife in his absence, may desire to have the
3 benefit of the preceding section, he shall apply to the
4 clerk of the county court of the county in which the land
2 to be exempt shall be situate, whose duty it shall be to is-
6 sue a precept to the sheriff of said county, commanding
7 him to summon a jury of twelve good and lawful men, dis-
8 interested and unconnected with the party applying, whose
9 duty it shall be to view the land proposed to be exempted
10 according to the preceeding section, and allot and set it
11 apart to the said house holder by metes and bounds, and
12 to return to the next Court of Pleas and Quarter Sessions,
13 under their hands and seals, a full copy of their proceed-
14 ings, together with a description, and the metes and bounds
15 of the land allotted.

SEC. 3. *Be it further enacted*, That the return of the
2 jury aforesaid, together with a description and the metes
3 and bounds, of the land set apart as aforesaid, shall be re-
4 corded by the register of the county, in a book to be kept
5 by him for that purpose, for which he shall be entitled to
6 charge, and receive a fee of seventy-five cents.

SEC. 4. *Be it further enacted*, That the clerk of the
2 Court of Pleas and Quarter Sessions, shall be entitled, for
3 issuing the precept aforesaid to the sheriff of the county,
4 to charge and receive a fee of fifty cents; and the sheriff
5 for summoning the jury aforesaid, shall receive the same
6 fee that by law is now allowed for summoning jurors to
7 lay off dower; and each juror attending and discharging
8 his duties as above directed, shall receive one dollar per
9 day for his services.

SEC. 5. *Be it further enacted*, That every sale or con-
2 veyance by deed of trust or otherwise, for the payments of
3 debts or demands of the land set apart as aforesaid, shall be
4 void.

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